

to-day, taken up, read and laid on the table—by a suspension of the call.

On motion of Mr. Potter the call of the Senate was suspended.

The amendment offered by Mr. Taylor of Fannin was then adopted by the following vote,

YEAS—Messrs. Allen, Bryan, Caldwell, Hill, Hord, McCulloch, McDade, Maverick, Palmer, Potter, Scarborough, Supervielle, Taylor of Cass, Taylor of Fannin and Whitaker—15.

NAYS—Messrs. Armstrong, Flanagan, Grimes, Guinn, Lott, Martin, Millican, Pedigo, Pirkey, Russel, Scott, Taylor of Houston, Truit, Weatherford and White—14.

On motion of Mr. Grimes, all after the 1st section of the bill was stricken out.

Mr. Palmer offered the following amendments.

In section 1st, after the word "party" add "in actual possession of the land for which suit is pending," and at the end of Section 1st add, "Provided that this section shall in no case apply to any party who is not in possession, as against a party in actual possession of the land claimed by him and provided that no forfeiture for breach of conditions, shall be enforced in any suit against any party holding possession of the land claimed by him, cultivating and enjoying the same."

Mr. Armstrong moved to amend the amendment by striking out "and provided that no forfeiture for breach of conditions, shall be enforced in any suit against any party holding possession of the land claimed by him, cultivating and enjoying the same." Laid on the table on motion of Mr. Potter.

Mr. Guinn moved to lay Mr. Palmer's amendment on the table. Lost.

On motion of Mr. Scott, the Senate adjourned till to-morrow morning at 8 o'clock.

SATURDAY, July 17th, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Grimes presented the petitions of Felix Guff and T. McKean; referred to the committee on claims and accounts.

Mr. Supervielle presented the petition of Justice Castanie; referred to the committee on Private Land Claims No. 2.

Mr. McCulloch, from the committee on Counties and County Boundaries, made the following report:

The committee on Counties and County Boundaries, to which was referred a bill for the creation of Brown county, have considered the same and find, that if the county is created according to the boundaries in the original bill, the most north-western corner crosses Muke-water Creek and forms a projection into the adjoining territory that would materially interfere with the formation of a new county, which will soon be required between said Creek and the Colorado river, and that the boundaries of Brown county can be so altered as to avoid this, as we conceive, unnecessary interference, and at the same time from county of Constitutional size that will command the respect of every person interested in the passage of the law. The committee therefore instruct me to recommend the passage of the bill with the accompanying substitute, for all that part of the first section, after the word "Brown:"

"Beginning at the mouth of Pecan Bayou, thence N 30° E 14 miles, to the south-west boundary of Comanche county; thence with said boundary N. 30° W. 38 $\frac{1}{4}$ miles; thence south, 60° W. to the Muke-water Creek; thence down with the meanders of said Creek to the mouth; thence down the Colorado to the beginning.

Mr. Bryan, Chairman of the committee on Education, made the following report:

The committee on Education, to which was referred a bill to consolidate the Texas Monumental committee and the Texas Military Institute, with Rutgersville College, has had the same under consideration and instruct me to report the same back to the Senate and recommend its passage, after the adoption of the following amendments, to wit:

Strike out in the Second Section, all after the words "the same," in 12th line of said section."

Add to Section 3rd, the words, "Provided that those who have heretofore obligated themselves to make donations to the Texas Monumental Committee, shall have the right (if they see proper, to exercise it) of giving direction to their donation."

The application for the consolidation has been made by the President of the Board of Trustees of Rutgersville College. The President of the Monumental Committee and the Superintendent of the Texas Military Institute. And as no good reason has been shown to the Committee that this fusion of

the interests of the respective institutions should not take place, as it may conduce to the benefit of Education, and the establishment of a Military Institute, of high character in our State; the committee unanimously approve it.

Mr. Scarborough introduced a bill for the relief of John Dillon, Jr.; read first and second times, and referred to the committee on Private Land Claims No 2.

A message was received from the House informing the Senate that the House refused to recede from its amendments to the Senate's bill to define the first Judicial District, and to fix the time of holding courts therein, and that Messrs. Darden of Colorado, Sullivan and Dancy, had been appointed a committee of conference on the part of that body.

On motion of Mr. Hill, the bill was taken up, and Messrs. Hill, Bryan and Potter were appointed a committee on the part of the Senate to confer with the committee of the House upon the amendments.

ORDERS OF THE DAY.

A bill to quiet land titles being under consideration on yesterday, when the Senate adjourned, was taken up.

Mr. Taylor of Cass moved to reconsider the vote adopting the amendment of Mr. Taylor of Fannin; to the bill.

On motion of Mr. White, the motion was laid on the table.

Mr. Allen moved to reconsider the vote adopting the amendment of Mr. Grimes to the bill.

On motion of Mr. White, the motion was laid on the table.

On motion of Mr. McCulloch, the bill and proposed amendments were postponed until to-morrow morning, 10 o'clock.

A bill to amend the caption and 1st and 16th sections of an act to incorporate the Texas Western Railroad Company approved 16th day of February, A. D. 1852, with the message, of the Governor, withholding his approval therefrom, was taken up, read, and on motion of Mr. Grimes, referred to the committee on Internal Improvements, with a request that the committee report upon the objections raised by the Governor to the bill.

On motion of Mr. Grimes, Mr. Scott was added to the committee on Internal Improvements.

On motion of Mr. Flanagan, A bill to create the county of Franklin, with the report of the committee on Counties and County boundaries, offering amendments thereto, was taken up, read, and the amendments adopted.

The Senate refused to engross the bill by the following vote:

YEAS.—Messrs. Bryan, Caldwell, Flanagan, McCulloch, Martin, Pedigo, Superviele, Taylor of Fannin, Truit, Weatherford and White—11.

NAYS.—Messrs. Allen, Armstrong, Burroughs, Grimes, Guinn, McDade, Maverick, Millican, Palmer, Pirkey, Russell, Scarborough, Scott, Taylor of Cass, Taylor of Houston, Whitaker and Wren—17.

A message was received from the House informing the Senate that the House had passed the Senate's "bill to authorize Wm. D. Dillon to practice law."

A Joint Resolution, proposing an amendment to the Constitution, with the amendments offered by Mr. McCulloch, made the special order for to-day, taken up and read.

Mr. Palmer offered a substitute for the Joint Resolution and amendments—adopted.

Mr. McCulloch moved to amend the substitute by filling the blanks with the words "1st of April, 1860"—carried.

Mr. Russell offered the following amendment: "Provided nothing in this Joint Resolution shall be so construed as to prevent the Legislature, by a majority vote, from passing pre-emption laws.

On motion of Mr. Potter, the amendment was laid on the table by the following vote:

YEAS.—Messrs. Allen, Bryan, Burroughs, Caldwell, Flanagan, Grimes, Hill, Hord, McCulloch, McDade, Palmer, Pirkey, Potter, Scott, Superviele, Taylor of Cass, and Whitaker—17.

NAYS.—Messrs. Armstrong, Guinn, Lott, Martin, Maverick, Millican, Pedigo, Russell, Scarborough, Truit, Weatherford and Wren—12.

On motion of Mr. McCulloch, the Joint-Resolution was amended, by striking out, after the words "Internal Improvements" "charitable purposes" and inserting, "for the establishment and support of charitable institutions."

The Joint Resolution was then rejected by the following vote—two-thirds not voting for it:

YEAS.—Messrs. Allen, Bryan, Burroughs, Caldwell, Flanagan, Grimes, Guinn, Hill, Lott, McCulloch, McDade, Palmer, Pirkey, Potter, Scott, Taylor of Cass, Taylor of Fannin, Taylor of Houston and Whitaker—19.

NAYS.—Messrs. Armstrong, Hord, Martin, Maverick, Millican, Pedigo, Russell, Scarborough, Superviele, Truit, Weatherford and Wren—12.

On motion of Mr. Palmer, the Resolution of Mr. Palmer and the substitute therefor, offered by Mr. Taylor of Cass, relative to the action of the present Legislature upon the Code of Criminal and Civil procedure, was taken up and read.

On motion of Mr. Guinn, the substitute offered by Mr. Taylor of Cass, was laid on the table.

Mr Palmer then offered the following as a substitute for his original Resolution :

Resolved, That the Senate will devote one hour each morning, to the reading of the Code of Criminal Procedure, until the same is disposed of."

Mr. Flanagan moved the indefinite postponement of the Resolution and substitute—lost.

The substitute was then adopted.

Mr. Allen, Chairman of the committee on Enrolled Bills, reported the following bills correctly enrolled, properly signed, and this day presented to the Governor:

A bill to change the time of holding the District Courts in the tenth and fourteenth Judicial Districts.

A bill to incorporate the Galveston Island University.

A bill supplementary to the act of January 28th, 1840, concerning wills, and authorizing persons to dispose of their estate by will.

A bill to amend the 4th section of an act entitled an act regulating attachments, approved March 11, 1848.

And a bill authorizing Wm. D. Dillon to practice law.

Mr. Hill offered the following resolution :

Resolved, That the Sargent-at Arms procure for the use of each Senator, one copy of the published Laws and Journals of the 6th Legislature—adopted.

Mr. Hill, Chairman of the committee of Conference, on the part of the Senate, made the following report :

The Joint committee of Conference to which was referred the House's amendments to the Senate's "bill defining the 1st Judicial District and fixing the time of holding the District Courts therein," in which the Senate refused to concur, and from which the House refused to recede, have had the same under consideration, and as a substitute for the amendments of the House, instructed us to report the following, and recommend its adoption.

Signed,

HILL,

Chairman on part of Senate.

DARDEN of C.,

" " " House.

Substitute—For section 2, from and after the final passage

of this act, the District Courts in the first Judicial District shall commence and be held as follows, to wit :

In the county of Brazoria, on the first Mondays in April and October, and may continue in session two weeks.

In the county of Matagorda, on the second Mondays after the first Mondays in April and October, and may continue in session one week.

In the county of Wharton, on the third Mondays after the first Mondays in April and October, and may continue in session one week.

In the county of Colorado, on the Fourth Mondays after the first Mondays in April and October, and may continue in session two weeks.

In the county of Fayette, on the sixth Mondays after the first Mondays in April and October, and may continue in session three weeks.

In the county of Austin, on the ninth Mondays after the first Mondays in April and October, and may continue in session two weeks.

In the county of Fort Bend, on the Eleventh Mondays after the first Mondays in April and October, and may continue in session until the business is disposed of.

Substitute for the fourth section :

That the provisions of all laws, so far as they conflict with the provisions of acts, be, and the same are hereby repealed, and that this act take effect and be in force from and after its passage.

Mr. Hord, Chairman of the committee on State affairs, made the following report :

A majority of the committee on State Affairs, to whom was referred a petition of some of the citizens of Fayette county, praying for the passage of a law incorporating the town of Ruttersville. Said corporation to include the league upon which said town and Ruttersville College are situated, and to engraft upon said charter a provision to prevent the sale of liquors in the limits of said corporation, have instructed me to report the accompanying bill to the Senate, and recommend its passage :

A bill to prevent the sale of intoxicating drinks within the limits of the league of land in Fayette county, granted to Franklin Lewis, on which the town of Ruttersville is situated ; read 1st time.

Mr. Caldwell introduced a bill for the relief of Henry Lentz;

read 1st and 2d times and referred to the committee on Public Lands

Mr. McCulloch introduced a bill for the relief of Thomas Collins; read 1st and 2nd times and referred to the committee on Public Lands.

On motion of Mr. Burroughs, a bill to encourage the improvement of the navigable rivers and waters of the State of Texas, by making appropriations for the same, with amendments made by the House, was taken up and read.

On motion of Mr. Palmer, the bill and amendments were postponed until Monday next, the 21st inst.

On motion of Mr. Guinn, the Senate adjourned until tomorrow morning, at 8 o'clock.

TUESDAY, July 18th, 1856.

The Senate was called to order by the President, pursuant to adjournment—roll called—quorum present—prayer by the Chaplain.

The journal of yesterday was read and adopted.

On motion of Mr. Hill, the rule was suspended, and the report of the Committee on Education, upon a bill to consolidate the Texas Monumental Committee and the Texas Military Institute with Ruterville College, was taken up, read, and the amendments offered by the Committee, were adopted.

The bill was then ordered to be engrossed.

On motion of Mr. Hill, the rule was further suspended, bill read 3rd time, and passed by the following vote:

YEAS—Messrs. Allen, Armstrong, Bryan, Burroughs, Flanagan, Grimes, Guinn, Hill, Lott, McCulloch, McDade, Martin, Maverick, Millican, Palmer, Pedigo, Pirkey, Potter, Scarborough, Scott, Superviele, Taylor of Cass, Taylor of Houston, Truit, and Whitaker—25.

NAYS—Messrs. Caldwell, Russell, and Weatherford—3.

Mr. Maverick presented the petition of D. Hardeman and others; read, and referred to the Committee on the Judiciary.

Mr. Millican presented the memorial of Eli Chandler; referred to the Committee on Public Lands.

Mr. Potter presented the petition of E. P. Wells; referred to Committee on Public Debt.

Also, the petition of Hoffman, Dickuth, and Junker; referred to the Committee on Public Lands.

Mr. Palmer presented the petition of the creditors of the German Emigration Company, and sundry citizens, praying for relief; referred to Judiciary Committee.